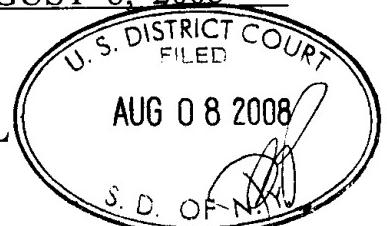


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**11**

Document #

U.S.C.A. # \_\_\_\_\_

U.S.D.C. # **07-cv-5824**JUDGE: **DAB**DATE: **AUGUST 8, 2008**

## INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME): **THOMAS R. PISARCZYK**  
 FIRM: **U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK**  
 ADDRESS: **500 PEARL STREET, ROOM 370**  
**NEW YORK, NEW YORK 10007**  
 PHONE NO.: **(212) 805 - 0636**

## DISTRICT COURT DOCKET ENTRIES -----

DOCUMENT DESCRIPTION	DOC. #
CLERK'S CERTIFICATE	_____
SEE ATTACHED LIST OF NUMBERED DOCUMENTS	_____
<b>** ONLY CIRCLED DOCUMENTS ARE INCLUDED **</b>	
<b>** ALL OTHERS MISSING AT THIS TIME **</b>	
<i>all others transferred to USDC-MDPA</i>	

() Original Record() Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
 for the Second Circuit on the 8<sup>TH</sup> Day of August, 2008.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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*Reynolds*  
-v-  
*Kosik, et al*

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U.S.C.A. # \_\_\_\_\_  
U.S.D.C. # 07-W-582A  
JUDGE: DAB  
DATE: AUGUST 8, 2008

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through       , inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
_____	_____
_____	_____
_____	<b><u>BALANCE OF FILE MISSING AT THIS TIME</u></b>
_____	<i>all others transferred to USDC-MDPA</i>
_____	_____
_____	_____

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 8<sup>TH</sup> Day of August In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 233<sup>RD</sup> year.

**J. Michael McMahon, Clerk**

By \_\_\_\_\_

*[Signature]*  
Deputy Clerk

APPEAL, CLOSED, HABEAS, PRO-SE

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-05824-DAB**  
**Internal Use Only**

Reynolds v. Kosik et al  
Assigned to: Judge Deborah A. Batts  
Cause: 28:2241 Petition for Writ of Habeas Corpus (federal)

Date Filed: 06/20/2007  
Date Terminated: 02/05/2008  
Jury Demand: None  
Nature of Suit: 530 Habeas Corpus (General)  
Jurisdiction: U.S. Government Defendant

Date Filed	#	Docket Text
06/20/2007	1	(MEMORANDUM) PETITION FOR WRIT OF HABEAS CORPUS pursuant to 28 U.S.C. 2241. Document filed by Michael Curtis Reynolds.(jeh) (Entered: 06/29/2007)
06/20/2007		Magistrate Judge Douglas F. Eaton is so designated. (jeh) (Entered: 06/29/2007)
06/20/2007	2	60 DAYS ORDER; The Clerk of Court is directed to assign a docket number to this action. Petitioner is hereby notified that the Court finds that the instant motion notwithstanding its designation, should be construed as a petition brought pursuant to 28 U.S.C. 2241. Petitioner may withdraw the instant motion if he does not wish to pursue relief under 2241. If petitioner fails to notify the Court with the time allowed, that he wished to withdraw the instant motion, it will be designated as a petition borough pursuant 2241. No summons shall be issued at this time and all further proceedings shall be stayed for sixty (60) days or until plaintiff has complied with this order. If plaintiff fails to notify this court as to whether he wishes to withdraw his petition or have the Court construe it as petition pursuant to 2241 within time allowed, the motion shall be construed as the 2241 petition and transferred to the United States District Court for the Middle District of Pennsylvania. I certify pursuant to 28 U.S.C. 1915(a)...that any appeal from this order would not be taken in good faith. direct within sixty (60) days from the date of this order (Signed by Judge Deborah A. Batts on 06/20/07) (jeh) (Entered: 06/29/2007)
07/05/2007	3	RESPONSE re: 2 Order 60 Days Other (case opening), Order 60 Days Other (case opening). Document filed by Michael Curtis Reynolds. (cd) (Entered: 07/13/2007)
01/17/2008	4	PRO SE MEMORANDUM dated 1/15/08 re: CHANGE OF ADDRESS for Michael Curtis Reynolds. New Address: 10671-023, USP Lewisberg, PO Box 1000, Lewisberg, PA, 17837. (tro) (Entered: 01/17/2008)
02/05/2008	5	TRANSFER ORDER the Clerk of this Court is directed to transfer this case to the United States District Court for the Middle District of Pennsylvania. The Clerk of Court is directed to serve a copy of this Order and the underlying petition on the United States Attorney for the Middle District of Pennsylvania. That provision of Rule 83.1 of the Local Rules of the Southern District of New York which requires a five day delay is waived. So Ordered. (Signed by Judge Kimba M. Wood on 2/5/08) (jco) (Entered: 02/11/2008)
02/05/2008		CASE TRANSFERRED OUT from the U.S.D.C. Southern District of New York to the United States District Court - Middle District of Pennsylvania. Sent original file along with documents numbered 1-4, and a certified copy of docket entries and transfer order. Mailed via Federal Express AIRBILL # 8634 2696 9829 on 2/13/08. (ae) (Entered: 02/13/2008)
03/04/2008	6	MOTION for Judgment upon the merits on Habeas section 2241. Document filed by Michael Curtis Reynolds.(pl) (Entered: 03/12/2008)
03/31/2008	7	ORDER that on 3/4/08, petitioner filed a motion for judgment upon the Merits on Habeus [sic] section 2241. I liberally construe petitioners motion as a motion brought pursuant to Rule 60(b) of the Federal Rules of Civil procedure because the motion was filed more than ten days after the closing of the case. After reviewing the allegations in the instant submission, however, I deny this motion for reconsideration for the following reasons. As this case has been transferred to another court, this Court no longer has jurisdiction to entertain the motion. I certify pursuant to 28 U.S.C. section 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 3/31/08) (pl) (Entered: 04/01/2008)
06/16/2008	8	MOTION for Extension of Time to File a Notice of Appeal. Document filed by Michael Curtis Reynolds.(ae) (Entered: 06/20/2008)
06/16/2008	10	NOTICE OF APPEAL from 7 Order. Document filed by Michael Curtis Reynolds. Copies mailed to attorney(s) of record: A.U.S.A. (tp) (Entered: 08/04/2008)
06/16/2008		Appeal Remark as to 10 Notice of Appeal filed by Michael Curtis Reynolds. \$455.00 APPEAL FEE DUE. IFP REVOKED 3/31/08. (tp) (Entered: 08/04/2008)
07/31/2008	9	ORDER; denying 8 Motion for Extension of Time to File. I certify pursuant to 28 U.S.C. section 1915(a)(3) that any appeal from the Court's 2/5/08 Order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 7/31/08) (pl) (Entered: 07/31/2008)
08/04/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 10 Notice of Appeal. (tp) (Entered: 08/04/2008)
08/04/2008		Transmission of Notice of Appeal to the District Judge re: 10 Notice of Appeal. (tp) (Entered: 08/04/2008)